



3739
41

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of: Kingsley et al : Examiner: **Roy E. Gibson**
Serial No.: 09/898,402 :
Filed: July 3, 2001 : Art Unit: 3739
For: HIGH-IMPEDANCE OPTICAL ELECTRODE :

AMENDMENT A

Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

Sir:

In response to the Office Action mailed February 11, 2004, please amend the above identified application as follows:

In the Claims:

Please amend the claims as set for in the Listing of All Claims set forth at pages 2-13.

Claims 1, 5, 6, 8, 9, 19, 23, 28, 31, 33, 35, 37-40, 42, 50, 56, 59 are currently amended.

Claims 10-18, 21, 22, 24, 27, 29, 41, 43-49, 51-55, 57, 58, 60-66 are original.

Claim 67 is new.

Please cancel claims 2-4, 7, 20, 25-26, 30, 32, 34, and 36.

RECEIVED

MAY 17 2004

05/13/2004 DENMANU1 00000063 09898402

01 FC:2201

215.00 OP

TECHNOLOGY CENTER R3700



PTO/SB/21 (08-03)
Approved for use through 07/31/2006. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL FORM <small>(to be used for all correspondence after initial filing)</small>	Application Number	09/898,402	
	Filing Date	July 3, 2001	
	First Named Inventor	Stuart A. Kingsley	
	Art Unit	3739	
	Examiner Name	Roy D. Gibson	
Total Number of Pages in This Submission	17	Attorney Docket Number	D597.4

ENCLOSURES (Check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form 1 page	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance communication to Group
<input checked="" type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input checked="" type="checkbox"/> Amendment/Reply 15 pages	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Change of Correspondence Address	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	Postal Card for Return Receipt
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Response to Missing Parts/Incomplete Application	Remarks	
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		
<div>RECEIVED MAY 17 2004 TECHNOLOGY CENTER R3700</div>		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	Philip J. Pollick
Signature	<i>Philip J. Pollick</i>
Date	May 8, 2004

CERTIFICATE OF TRANSMISSION/MAILING			
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.			
Typed or printed name		Mary L. Pollick	
Signature	<i>Mary L. Pollick</i>	Date	May 8, 2004

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



PTO/SB/17 (10-03)

Approved for use through 07/31/2006. OMB 0651-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

☒ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 215

Complete if Known

Application Number	09/898,402
Filing Date	July 3, 2001
First Named Inventor	Stuart A. Kingsley
Examiner Name	Roy D. Gibson
Art Unit	3739
Attorney Docket No.	D597.4

METHOD OF PAYMENT (check all that apply)☒ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None☒ Deposit Account:Deposit Account Number
Deposit Account Name

13-3393

The Director is authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☒ Credit any overpayments☒ Charge any additional fee(s) or any underpayment of fee(s)☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.**FEE CALCULATION****1. BASIC FILING FEE**

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1001 770	2001 385	Utility filing fee	
1002 340	2002 170	Design filing fee	
1003 530	2003 265	Plant filing fee	
1004 770	2004 385	Reissue filing fee	
1005 160	2005 80	Provisional filing fee	
SUBTOTAL (1) (\$)			

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	-66 Extra Claims	Fee from below	Fee Paid
56	-20** = 0	X	
Independent Claims	8	-3** = 5	X 43 = 215
Multiple Dependent			

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description
1202 18	2202 9	Claims in excess of 20
1201 66	2201 43	Independent claims in excess of 3
1203 290	2203 145	Multiple dependent claim, if not paid
1204 66	2204 43	** Reissue independent claims over original patent
1205 18	2205 9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$ 215

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)**3. ADDITIONAL FEES**

Large Entity | Small Entity

Fee Code (\$)	Fee Code (\$)	Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
1051 130	2051 65	1052 50	2052 25	Surcharge - late filing fee or oath	
1053 130	1053 130	1812 2,520	1812 2,520	Surcharge - late provisional filing fee or cover sheet	
1812 2,520	1812 2,520	1804 920*	1804 920*	Non-English specification	
1804 920*	1804 920*	1805 1,840*	1805 1,840*	For filing a request for <i>ex parte</i> reexamination	
1805 1,840*	1805 1,840*	1251 110	2251 55	Requesting publication of SIR prior to Examiner action	
1251 110	2251 55	1252 420	2252 210	Requesting publication of SIR after Examiner action	
1252 420	2252 210	1253 950	2253 475	Extension for reply within first month	
1253 950	2253 475	1254 1,480	2254 740	Extension for reply within second month	
1254 1,480	2254 740	1255 2,010	2255 1,005	Extension for reply within third month	
1255 2,010	2255 1,005	1401 330	2401 165	Extension for reply within fourth month	
1401 330	2401 165	1402 330	2402 165	Extension for reply within fifth month	
1402 330	2402 165	1403 290	2403 145	Notice of Appeal	
1403 290	2403 145	1451 1,510	1451 1,510	Filing a brief in support of an appeal	
1451 1,510	1451 1,510	1452 110	2452 55	Request for oral hearing	
1452 110	2452 55	1453 1,330	2453 665	Petition to institute a public use proceeding	
1453 1,330	2453 665	1501 1,330	2501 665	Petition to revive - unavoidable	
1501 1,330	2501 665	1502 480	2502 240	Petition to revive - unintentional	
1502 480	2502 240	1503 640	2503 320	Utility issue fee (or reissue)	
1503 640	2503 320	1460 130	1460 130	Design issue fee	
1460 130	1460 130	1807 50	1807 50	Plant issue fee	
1807 50	1807 50	1806 180	1806 180	Petitions to the Commissioner	
1806 180	1806 180	8021 40	8021 40	Processing fee under 37 CFR 1.17(q)	
8021 40	8021 40	1809 770	2809 385	Submission of Information Disclosure Stmt	
1809 770	2809 385	1810 770	2810 385	Recording each patent assignment per property (times number of properties)	
1810 770	2810 385	1801 770	2801 385	Filing a submission after final rejection (37 CFR 1.129(a))	
1801 770	2801 385	1802 900	1802 900	For each additional invention to be examined (37 CFR 1.129(b))	
1802 900	1802 900			Request for Continued Examination (RCE)	
				Request for expedited examination of a design application	

Other fee (specify)

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$

SUBMITTED BY

(Complete if applicable)

Name (Print/Type)	Philip J. Pollick	Registration No. (Attorney/Agent)	29,692	Telephone	614 263 8990
Signature		Date	May 8, 2004		

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.